

**State of Hawai'i**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**Division of State Parks**  
**Honolulu, Hawai'i 96813**  
September 26, 2008

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i 96813

Subject: Request for Approval for Cancellation of Permit SP-0359, Lot 11, Waimea Canyon State Park, Tax Map Key (4)1-4-002:012, Maile Hurley, Due to Non-Payment

On August 11, 2006, the Board authorized issuance of revocable permits to former lessees in these areas, including SP 0359, Lot 11, Waimea, Kauai, Hawaii, Tax Map Key No. (4)1-4-002:012 to Paul and Maile Hurley (see attached).

On December 14, 2007, the Board authorized renewal of this permit. Maile Hurley returned her signed agreement for the new permit, but her check for \$2,760 was returned NSF. A Notice of Default letter was sent on July 17, 2008, and a return receipt was received and signed August 20th (see attached). Staff received a telephone call from Mrs. Hurley, who stated payment would be made by Monday, August 25. To date, no payment has been received.

Note that cancellation of this permit will make Mr. & Mrs. Hurley ineligible for a new lease. Staff is requesting Board approval to cancel Permit SP-0359 at Waimea Canyon State Park due to non-payment.

**RECOMMENDATIONS:**

That the Board:

1. Authorize the cancellation of Permit SP 0359, Maile Hurley.
2. Approve using any deposits toward any amounts owed, and
3. Approve such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

Respectfully submitted,



DANIEL S. QUINN  
State Parks Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

ITEM E-1

STATE OF HAWAII  
Department of Land and Natural Resources  
Division of State Parks  
Honolulu, Hawai'i

December 14, 2007

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

Subject: Request Continuance of 96 Revocable Permits Issued for Recreation-Residence  
Use in Kōke'e and Waimea Canyon State Parks, Waimea, Kaua'i

96 revocable permits (RP's) were issued for recreation-residence use in Kōke'e and Waimea Canyon State Parks. The Board approved the issuance of the RP's to former lessees when leases expired on December 31, 2006, following a one year holdover. An auction for the disposition of recreation-residence use leases had been approved by the Board at a prior meeting. Several factors, including legal actions and staff shortages, led to the postponement of the auction. The State has so far prevailed in the lawsuits, and is in the process of filling a position which will focus on this project.

Until the auction is scheduled, the month-to-month RP's are the best method of disposition for the cabins and lots. Haw. Rev. Stat. § 171-55 provides that the Board may allow permits to continue on a month-to-month basis for additional one-year periods.

In the past year, several permittees are alleged to have been involved in criminal activities within the parks. The permit conditions do not contain special provisions for termination or cancellation of the permit in the event the permittees are conducting criminal activities in the parks. We would like the Board to amend the permits to allow for termination or cancellation upon 5 days notice in those cases. Permits conditions will be unchanged otherwise.

RECOMMENDATION

That the Board:

Approve continuance of the revocable permits to current permittees pursuant to section 171-55, Hawai'i Revised Statutes.

1. Term to continue on a month-to-month basis for a period not to exceed six months (subject to termination on 30 days written notice).
2. Revocable permits to be on the same terms as presently in effect except that where an occupant is conducting criminal activities on the premises or in the parks, a 5 days notice of termination or cancellation is allowed.

3. Continuance of the revocable permits to be without prejudice to any positions or arguments made in the pending appeal.
4. To qualify for the continuance, the current permittees must be current with all conditions of the permit.
5. Such other terms and conditions as may be prescribed by the Chairperson to best serve the State's interests.
6. All terms and continuance of the revocable permits are subject to the approval of the Attorney General.

Respectfully submitted,

  
Daniel S. Quinn, Administrator

APPROVED FOR SUBMITTAL:

  
for Laura H. Thielen, Chairperson

STATE OF HAWAII  
Department of Land and Natural Resources  
Division of State Parks  
Honolulu, Hawai'i

August 11, 2006

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

**Subject: Request Approval for Issuance of Revocable Permits at Pu'u Ka Pele, Halemanu, and Kōke'e Camp Lots, Kōke'e and Waimea Canyon State Parks, Waimea, Kaua'i**

**Background**

Approximately 100 leases are in effect in the three recreation residence areas referenced above. The existing leases were held over for one year per Board approval dated December 12, 2003 and are set to expire December 31, 2006. Upon expiration any improvements revert to the State along with the lot. Staff has been working on a method and means to auction the recreation residences under a new 20 year lease term to include land and improvements.

In April of 2006, lessees filed a lawsuit, claiming that the State is required to pay for the cabins and seeking Fifth Amendment "just compensation." The State filed a motion for summary judgment, arguing that, based on the unambiguous provisions of the leases, the lessees have no private property to be "taken" and are, therefore, not entitled to just compensation. In July 2006, the court denied the motion and stated that the issue must be resolved at trial. Regardless of whether the case now goes directly to appeal or whether it is tried, it will likely not be resolved before the end of the year. The auction has been postponed until 2007 at the earliest and no specific auction date has been set. These facts raise the question of what should be done with the lots after the leases expire but before the lawsuit is resolved or new leases auctioned.

**RECOMMENDATION:**

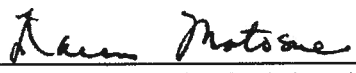
That the Board:

Approve issuance of revocable permits to current lessees pursuant to Haw. Rev. Stat. § 171-55.

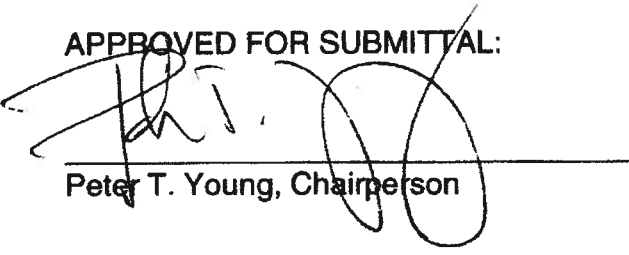
1. Term to be month-to-month not to exceed one year.
2. Revocable permit to be generally subject to current lease terms
3. Issuance of the revocable permits to be without prejudice to any positions or arguments made in the pending lawsuit.

4. To qualify for the extension the current Lessee must be current with all lease terms and conditions.
5. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
6. Terms and issuance of the revocable permits subject to approval by the Attorney General.

Respectfully submitted,

  
\_\_\_\_\_  
Karen Motosue, Ass't. Administrator

APPROVED FOR SUBMITTAL:

  
\_\_\_\_\_  
Peter T. Young, Chairperson

## Kokee State Park Lessee Extension List

Exhibit "A"

DocNo.	LesseeName	TMK	LeaseFrom	LeaseTo	LeasedArea(AC)	AnnualRent
GL 4970	CAVASSO, JOEL	(4) 1-4-003:014-0000	4/1/1986	12/31/2006	1.05	2,520.00
GL 4971	FRANCES, SYBIL BALDWIN	(4) 1-4-003:016-0000	1/1/1986	12/31/2006	0.98	2,520.00
GL 4972	JACINTHO, WAYNE & DEBORAH	(4) 1-4-003:004-0000	1/1/1986	12/31/2006	0.96	2,040.00
GL 4973	KOCHER TRUST	(4) 1-4-003:005-0000	1/1/1986	12/31/2006	0.81	2,040.00
GL 4974	LEALANI CORPORATION	(4) 1-4-004:014-0000	1/1/1986	12/31/2006	1.2	2,520.00
GL 4975	ZALOPANY, ALMA B.	(4) 1-4-003:006-0000	1/1/1986	12/31/2006	0.79	2,040.00
GL 4976	GIVENS (TRUST), MICHAEL A.	(4) 1-4-003:009-0000	1/1/1986	12/31/2006	1.42	2,040.00
GL 4977	HANSEN, ANNA JOSEPHINE	(4) 1-4-003:007-0000	1/1/1986	12/31/2006	1.47	2,040.00
GL 4978	TAUBMAN ET AL, RICHARD	(4) 1-4-003:010-0000	1/1/1986	12/31/2006	2	2,160.00
GL 4979	SHEEHAN FAMILY LIMITED	(4) 1-4-003:008-0000	1/1/1986	12/31/2006	1.12	2,040.00
GL 4980	KIKIAOLA LAND CO LTD	(4) 1-4-003:012-0000	1/1/1986	12/31/2006	2.01	2,160.00
GL 4981	WILLIAMSON, HARWOOD	(4) 1-4-003:013-0000	1/1/1986	12/31/2006	1.82	2,520.00
GL 4982	BALDWIN, GARY	(4) 1-4-004:038-0000	4/1/1986	12/31/2006	1.66	2,040.00
GL 4983	HOEME, RODNEY AND DEBBIE	(4) 1-4-004:035-0000	1/1/1986	12/31/2006	0.93	1,920.00
GL 4984	PUTZIER, BARBARA	(4) 1-4-004:013-0000	1/1/1986	12/31/2006	0.51	2,400.00
GL 4985	ORNELLAS, DWIGHT	(4) 1-4-004:030-0000	4/1/1986	12/31/2006	0.65	2,160.00
GL 4986	COOPERSMITH, ERIK PAUL	(4) 1-4-004:021-0000	1/1/1986	12/31/2006	0.71	2,520.00
GL 4987	KUMUWELA, INC.	(4) 1-4-004:020-0000	1/1/1986	12/31/2006	0.84	2,640.00
GL 4988	RALSTON ET AL (Kokee), RICK	(4) 1-4-004:019-0000	1/1/1986	12/31/2006	1.9	2,760.00
GL 4989	WICHMAN, FREDERICK B.	(4) 1-4-004:018-0000	1/1/1986	12/31/2006	0.68	2,520.00
GL 4990	WICHMAN TRUST	(4) 1-4-004:017-0000	1/1/1986	12/31/2006	1.01	2,640.00
GL 4991	PLEWS, JOHN H.R.	(4) 1-4-004:016-0000	1/1/1986	12/31/2006	1.46	2,760.00
GL 4992	HAY, JR., FRANK O.	(4) 1-4-004:043-0000	1/1/1986	12/31/2006	0.9	2,520.00
GL 4994	DEPE, ARDEL H.	(4) 1-4-004:005-0000	4/1/1986	12/31/2006	1.11	1,980.00
GL 4995	TAYLOR MAILE M LOT 41	(4) 1-4-004:007-0000	1/1/1986	12/31/2006	0.62	1,860.00
GL 4996	MILLER ROBERT L LOT 42, 44	(4) 1-4-004:004-0000	1/1/1986	12/31/2006	1.44	1,980.00
GL 4997	WILSON, JAMES E. & CYNTHIA E.	(4) 1-4-004:008-0000	4/1/1986	3/31/2006	0.69	1,860.00
GL 4998	KOCH, DAVID	(4) 1-4-004:009-0000	1/1/1986	12/31/2006	1.32	1,980.00
GL 4999	HARDING, KENNETH & CATHERINE	(4) 1-4-004:010-0000	1/1/1986	12/31/2006	1.11	1,980.00
GL 5021	DUNFORD, WILLIAM S. & ELIZABETH	(4) 1-4-004:003-0000	1/1/1986	12/31/2006	1.21	1,980.00
GL 5022	RAMIREZ, KARL L.	(4) 1-4-003:011-0000	1/1/1986	12/31/2006	0.8	2,040.00
GL 5023	SCHIMMELFENNING ET AL, EDWARD	(4) 1-4-003:017-0000	1/1/1986	12/31/2006	0.58	4,620.00
GL 5024	TOULON, A.J. & ELIZABETH	(4) 1-4-003:003-0000	1/1/1986	12/31/2006	0.96	2,040.00
GL 5026	WILCOX, GAYLORD & CAROL	(4) 1-4-004:012-0000	1/1/1986	12/31/2006	0.4	1,860.00
GL 5028	WAIMEA GARAGE LTD LOT 58	(4) 1-4-004:024-0000	1/1/1986	12/31/2006	1.03	2,760.00
GL 5029	SPROAT, DAVID K. & LINDA A.	(4) 1-4-004:001-0000	1/1/1986	12/31/2006	0.66	1,860.00

Kokee State Park Lessee Extension List

Exhibit "A"

GL 5030 CARSWELL, DONN A.	(4) 1-4-004:028-0000	1/1/1986	12/31/2006	1	2,280.00
GL 5031 HAGINO, DAVID M.	(4) 1-4-004:040-0000	1/1/1986	12/31/2006	1.07	2,040.00
GL 5032 R. ELECTRIC, INC	(4) 1-4-004:036-0000	1/1/1986	12/31/2006	0.83	2,040.00
GL 5033 SMITH-WATERHOUSE FAMILY OF KOLOA	(4) 1-4-004:041-0000	1/1/1986	12/31/2006	0.5	1,980.00
GL 5034 SUMMEERS, MARY C.	(4) 1-4-004:062-0000	1/1/1986	12/31/2006	0.53	5,190.00
GL 5035 OLSON, WILLIAM & CAROL	(4) 1-4-004:068-0000	1/1/1986	12/31/2006	0.56	2,400.00
GL 5036 LOFSTEDT ET AL, CURTIS & BONNIE	(4) 1-4-004:069-0000	1/1/1986	12/31/2006	0.56	2,400.00
GL 5037 BACK TO EDEN, INC. LOT 79	(4) 1-4-004:063-0000	1/1/1986	12/31/2006	0.54	2,400.00
GL 5038 RIKER, DENNIS	(4) 1-4-004:060-0000	1/1/1986	12/31/2006	0.55	2,400.00
GL 5039 SMYTHE, DONALD K. AND ROSEMARY K.	(4) 1-4-004:055-0000	1/1/1986	12/31/2006	0.67	2,400.00
GL 5040 TAYLOR, EDWARD JAMES	(4) 1-4-004:058-0000	1/1/1986	12/31/2006	0.79	2,520.00
GL 5041 JONES, RICHARD M. & CRYSTAL S.	(4) 1-4-004:059-0000	1/1/1986	12/31/2006	0.58	2,400.00
GL 5044 KOKEE MOUNTAIN HOUSE, INC.	(4) 1-4-004:054-0000	4/1/1986	12/31/2006	0.47	2,400.00
GL 5045 CAMP KOKEE CORP, C/O ROY YEMPUKU, ESQ.	(4) 1-4-004:047-0000	1/1/1986	12/31/2006	0.44	2,400.00
GL 5046 HACKETT, JAMES F.	(4) 1-4-004:048-0000	1/1/1986	12/31/2006	0.58	2,400.00
GL 5047 PEETERS, RITA	(4) 1-4-004:049-0000	1/1/1986	12/31/2006	0.53	2,400.00
GL 5048 SMITH, MALCOLM S.	(4) 1-4-004:050-0000	4/1/1986	12/31/2006	0.42	2,400.00
GL 5049 MORAGNE, LOT 1, WILLIAM & JEAN	(4) 1-4-002:031-0000	1/1/1986	12/31/2006	0.97	2,520.00
GL 5051 DANA, NED T. & HOLLIS H.	(4) 1-4-002:018-0000	1/1/1986	12/31/2006	0.97	2,520.00
GL 5052 PHASE THREE LLC	(4) 1-4-002:030-0000	1/1/1986	12/31/2006	0.73	5,630.00
GL 5053 WATANABE, RICKY	(4) 1-4-002:032-0000	1/1/1986	12/31/2006	1.13	2,520.00
GL 5054 BLACK ET AL, LUCY A.	(4) 1-4-002:028-0000	1/1/1986	12/31/2006	0.92	2,520.00
GL 5055 PRATT, DAVID W.	(4) 1-4-002:029-0000	1/1/1986	12/31/2006	1.02	2,520.00
GL 5056 KAUAI CHRISTIAN FELLOWSHIP	(4) 1-4-002:041-0000	1/1/1986	12/31/2006	0.99	2,520.00
GL 5057 HURLEY, PAUL S. & MAILE F.	(4) 1-4-002:012-0000	1/1/1986	12/31/2006	0.84	2,760.00
GL 5058 COX ET AL, FRANK W. N.	(4) 1-4-002:047-0000	1/1/1986	12/31/2006	0.95	2,520.00
GL 5059 KA IMI NAAUAO O HAWAII #13	(4) 1-4-002:020-0000	1/1/1986	12/31/2006	1	2,520.00
GL 5060 CABRINHA, TRUSTEE, LAWRENCE C.	(4) 1-4-002:023-0000	1/1/1986	12/31/2006	1.02	2,520.00
GL 5061 SNYDER, ELEANOR	(4) 1-4-002:021-0000	1/1/1986	12/31/2006	0.9	2,520.00
GL 5062 CASSEL, KATHRYN M.	(4) 1-4-002:025-0000	4/1/1986	12/31/2006	1.05	2,520.00
GL 5063 WOOD, KENNETH R.	(4) 1-4-002:026-0000	1/1/1986	12/31/2005	1.03	2,520.00
GL 5064 TENUTO ET AL, JOHN	(4) 1-4-002:027-0000	1/1/1986	12/31/2006	0.82	2,520.00
GL 5065 SAMFORD, JUDITH	(4) 1-4-002:046-0000	1/1/1986	12/31/2006	0.79	2,520.00
GL 5066 THOMAS, RUTH	(4) 1-4-002:013-0000	1/1/1986	12/31/2006	0.99	2,760.00
GL 5067 NITTA ET AL, AILEEN S.	(4) 1-4-002:014-0000	1/1/1986	12/31/2006	0.89	2,520.00
GL 5068 MATTHEWS, JUDITH L.	(4) 1-4-002:010-0000	1/1/1986	12/31/2006	1	2,520.00
GL 5069 STAYTON ET AL, SUSAN	(4) 1-4-002:022-0000	1/1/1986	12/31/2006	0.91	2,520.00

Kokee State Park Lessee Extension List

Exhibit "A"

GL 5070 NITTA ET AL, NORMAN	(4) 1-4-002:008-0000	1/1/1986	12/31/2006	0.85	2,520.00
GL 5071 HONTZ, GLEN	(4) 1-4-002:015-0000	4/1/1986	12/31/2006	1.03	2,520.00
GL 5072 SUTTON, RICHARD & ANNE	(4) 1-4-002:044-0000	1/1/1986	12/31/2006	0.88	2,520.00
GL 5073 RUIZ, JR., MR. & MRS. DAMASCIO	(4) 1-4-002:043-0000	1/1/1986	12/31/2006	1.03	2,520.00
GL 5075 TENBRUGGENCAT ET AL, JAN	(4) 1-4-002:040-0000	1/1/1986	12/31/2006	1	2,430.00
GL 5076 EPHAN, LARRY & MARY	(4) 1-4-002:036-0000	1/1/1986	12/31/2006	1.12	2,520.00
GL 5079 MCCrackEN, SABRA KAUKA	(4) 1-4-002:035-0000	1/1/1986	12/31/2005	1.01	2,520.00
GL 5080 NAKAYA, KIYOSHI & JULIA	(4) 1-4-002:051-0000	1/1/1986	12/31/2006	1.05	2,520.00
GL 5081 BURNER, PAULETTE	(4) 1-4-002:052-0000	1/1/1986	12/31/2006	1.03	2,520.00
GL 5082 WOOD, LISA	(4) 1-4-002:053-0000	4/1/1986	12/31/2006	1.03	2,520.00
GL 5083 WILCOX MEMORIAL HOSPITAL	(4) 1-4-002:054-0000	1/1/1986	12/31/2005	1.05	2,520.00
GL 5084 UNIVERSITY OF HAWAII	(4) 1-4-002:059-0000	4/1/1986	3/31/2006	1.01	2,520.00
GL 5086 KAWAKAMI ET AL, RICHARD	(4) 1-4-002:061-0000	1/1/1986	12/31/2006	0.95	2,520.00
GL 5087 CASSIDY, THOMAS & ANNETTE	(4) 1-4-002:062-0000	1/1/1986	12/31/2006	1.05	2,520.00
GL 5088 MATSUNAGA, PAUL & ARLINE	(4) 1-4-002:063-0000	1/1/1986	12/31/2006	0.9	2,520.00
GL 5090 ONISHI ET AL, WARREN H.	(4) 1-4-002:067-0000	4/1/1986	12/31/2006	0.79	2,520.00
GL 5091 SWENEY, ROBERT T.	(4) 1-4-002:068-0000	1/1/1986	12/31/2006	1.12	2,520.00
GL 5092 TOKITA, CALVIN & PHYLLIS	(4) 1-4-002:069-0000	1/1/1986	12/31/2006	1.08	2,520.00
GL 5095 ING, PHILIP & MYRNA	(4) 1-4-002:075-0000	1/1/1986	12/31/2006	0.98	2,520.00
GL 5097 LOCICCHIO ET AL #82, ANTHONY	(4) 1-4-002:079-0000	4/1/1986	3/31/2006	1.11	2,520.00
GL 5098 NEERINGS, JILL HANA	(4) 1-4-002:081-0000	4/1/1996	12/31/2006	1	2,520.00
GL 5099 THUENTE, DENNIS & ANNA	(4) 1-4-002:086-0000	1/1/1986	12/31/2006	0.82	2,760.00
GL 5100 MORINAKA, STANLEY H.	(4) 1-4-002:085-0000	1/1/1986	12/31/2006	0.99	2,520.00
GL 5101 UNITED CHURCH OF CHRIST	(4) 1-4-004:027-0000	1/1/1986	12/31/2006	0.5	132
GL 5102 HAWAII METHODIST UNION	(4) 1-4-002:024-0000	1/1/1986	12/31/2006	3.05	132
GL 5103 SEVENTH-DAY ADVENTIST # 55	(4) 1-4-002:055-0000	1/1/1986	12/31/2006	4.06	132
GL 5126 HUI O LAKA	(4) 1-4-002:045-0000	1/1/1986	12/31/2006	0.757	264
				108.034	250,471.00



STATE OF HAWAII  
Department of Land and Natural Resources  
Division of State Parks  
Honolulu, Hawai'i

December 14, 2007

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

Subject: Request Continuance of 96 Revocable Permits Issued for Recreation-Residence  
Use in Kōke'e and Waimea Canyon State Parks, Waimea, Kaua'i

96 revocable permits (RP's) were issued for recreation-residence use in Kōke'e and Waimea Canyon State Parks. The Board approved the issuance of the RP's to former lessees when leases expired on December 31, 2006, following a one year holdover. An auction for the disposition of recreation-residence use leases had been approved by the Board at a prior meeting. Several factors, including legal actions and staff shortages, led to the postponement of the auction. The State has so far prevailed in the lawsuits, and is in the process of filling a position which will focus on this project.

Until the auction is scheduled, the month-to-month RP's are the best method of disposition for the cabins and lots. Haw. Rev. Stat. § 171-55 provides that the Board may allow permits to continue on a month-to-month basis for additional one-year periods.

In the past year, several permittees are alleged to have been involved in criminal activities within the parks. The permit conditions do not contain special provisions for termination or cancellation of the permit in the event the permittees are conducting criminal activities in the parks. We would like the Board to amend the permits to allow for termination or cancellation upon 5 days notice in those cases. Permits conditions will be unchanged otherwise.

RECOMMENDATION

That the Board:

Approve continuance of the revocable permits to current permittees pursuant to section 171-55, Hawai'i Revised Statutes.

1. Term to continue on a month-to-month basis for a period not to exceed six months (subject to termination on 30 days written notice).
2. Revocable permits to be on the same terms as presently in effect except that where an occupant is conducting criminal activities on the premises or in the parks, a 5 days notice of termination or cancellation is allowed.

3. Continuance of the revocable permits to be without prejudice to any positions or arguments made in the pending appeal.
4. To qualify for the continuance, the current permittees must be current with all conditions of the permit.
5. Such other terms and conditions as may be prescribed by the Chairperson to best serve the State's interests.
6. All terms and continuance of the revocable permits are subject to the approval of the Attorney General.

Respectfully submitted,



Daniel S. Quinn, Administrator

APPROVED FOR SUBMITTAL:

for   
Laura H. Thielen, Chairperson

RP No.	Name of Permittee	Tax Map Key	Lot Size (in acres)	Annual Rent
1	CAVASSO, JOEL	(4) 1-4-003:014-0000	1.05	2,520.00
2	FRANCES, SYBIL BALDWIN	(4) 1-4-003:016-0000	0.98	2,520.00
3	JACINTHO, WAYNE & DEBORAH	(4) 1-4-003:004-0000	0.96	2,040.00
4	KOCHER TRUST	(4) 1-4-003:005-0000	0.81	2,040.00
5	LEALANI CORPORATION	(4) 1-4-004:014-0000	1.2	2,520.00
6	ZALOPANY, ALMA B.	(4) 1-4-003:006-0000	0.79	2,040.00
7	GIVENS (TRUST), MICHAEL A.	(4) 1-4-003:009-0000	1.42	2,040.00
8	TAUBMAN ET AL, RICHARD	(4) 1-4-003:010-0000	2	2,160.00
9	SHEEHAN FAMILY LIMITED	(4) 1-4-003:008-0000	1.12	2,040.00
10	KIKIAOLA LAND CO LTD	(4) 1-4-003:012-0000	2.01	2,160.00
11	WILLIAMSON, HARWOOD & NANCY	(4) 1-4-003:013-0000	1.82	2,520.00
12	BALDWIN, GARY	(4) 1-4-004:038-0000	1.66	2,040.00
13	HOEME, RODNEY AND DEBBIE	(4) 1-4-004:035-0000	0.93	1,920.00
14	PUTZIER, BARBARA	(4) 1-4-004:013-0000	0.51	2,400.00
15	ORNELLAS, DWIGHT	(4) 1-4-004:030-0000	0.65	2,160.00
16	COOPERSMITH, ERIK PAUL	(4) 1-4-004:021-0000	0.71	2,520.00
17	KUMUWELA, INC.	(4) 1-4-004:020-0000	0.84	2,640.00
18	RALSTON ET AL (KOOEE), RICK	(4) 1-4-004:019-0000	1.9	2,760.00
19	WICHMAN, FREDERICK B.	(4) 1-4-004:018-0000	0.68	2,520.00
20	WICHMAN TRUST	(4) 1-4-004:017-0000	1.01	2,640.00
21	PLEWS, JOHN H.R.	(4) 1-4-004:016-0000	1.46	2,760.00
22	HAY, JR., FRANK O.	(4) 1-4-004:043-0000	0.9	2,520.00
23	DEPPE, ARDEL H.	(4) 1-4-004:005-0000	1.11	1,980.00
24	TAYLOR MAILE M LOT 41	(4) 1-4-004:007-0000	0.62	1,860.00
25	MILLER ROBERT L LOT 42, 44	(4) 1-4-004:004-0000	1.44	1,980.00
26	WILSON, JAMES E. & CYNTHIA E.	(4) 1-4-004:008-0000	0.69	1,860.00
27	KOCH, DAVID	(4) 1-4-004:009-0000	1.32	1,980.00
28	HARDING, KENNETH & CATHERINE	(4) 1-4-004:010-0000	1.11	1,980.00
29	DUNFORD, ELIZABETH	(4) 1-4-004:003-0000	1.21	1,980.00
30	RAMIREZ, KARL L.	(4) 1-4-003:011-0000	0.8	2,040.00
31	WONG, WAYVEE CARMENT	(4) 1-4-003:017-0000	0.58	4,620.00
32	TOULON, A.J. & ELIZABETH	(4) 1-4-003:003-0000	0.96	2,040.00
33	WILCOX, GAYLORD & CAROL	(4) 1-4-004:012-0000	0.4	1,860.00
34	WAIMEA GARAGE LTD LOT 58	(4) 1-4-004:024-0000	1.03	2,760.00
35	SPROAT, DAVID K. & LINDA A.	(4) 1-4-004:001-0000	0.66	1,860.00
36	CARSWELL, DONN A.	(4) 1-4-004:028-0000	1	2,280.00
37	HAGINO, DAVID M.	(4) 1-4-004:040-0000	1.07	2,040.00
38	R. ELECTRIC, INC	(4) 1-4-004:036-0000	0.83	2,040.00
39	SMITH-WATERHOUSE FAMILY OF KOLOA	(4) 1-4-004:041-0000	0.5	1,980.00
40	SUMMERS, MARY C.	(4) 1-4-004:062-0000	0.53	5,190.00

RP No.	Name of Permittee	Tax Map Key	Lot Size (in acres)	Annual Rent
41	sp0341 OLSON, WILLIAM	(4) 1-4-004:068-0000	0.56	2,400.00
42	sp0342 LOFSTEDT ET AL, CURTIS & BONNIE	(4) 1-4-004:069-0000	0.56	2,400.00
43	sp0343 RIKER, DENNIS	(4) 1-4-004:060-0000	0.55	2,400.00
44	sp0344 SMYTHE, DONALD K. AND ROSEMARY K.	(4) 1-4-004:055-0000	0.67	2,400.00
45	sp0345 TAYLOR, EDWARD JAMES	(4) 1-4-004:058-0000	0.79	2,520.00
46	sp0346 JONES, RICHARD M. & CRYSTAL S.	(4) 1-4-004:059-0000	0.58	2,400.00
47	sp0347 KOKEE MOUNTAIN HOUSE, INC. CAMP KOKEE CORP, C/O ROY YEMPUKU, ESQ.	(4) 1-4-004:054-0000	0.47	2,400.00
48	sp0348 ESQ.	(4) 1-4-004:047-0000	0.44	2,400.00
49	sp0349 HACKETT, JAMES F.	(4) 1-4-004:048-0000	0.58	2,400.00
50	sp0350 PEETERS, RITA	(4) 1-4-004:049-0000	0.53	2,400.00
51	sp0351 SMITH, MALCOLM S.	(4) 1-4-004:050-0000	0.42	2,400.00
52	sp0352 MORAGNE, LOT 1, WILLIAM & JEAN	(4) 1-4-002:031-0000	0.97	2,520.00
53	sp0353 DANA, NED T. & HOLLIS H.	(4) 1-4-002:018-0000	0.97	2,520.00
54	sp0355 WATANABE, RICKY	(4) 1-4-002:032-0000	1.13	2,520.00
55	sp0356 BLACK ET AL, LUCY A.	(4) 1-4-002:028-0000	0.92	2,520.00
56	sp0357 PRATT, DAVID W.	(4) 1-4-002:029-0000	1.02	2,520.00
57	sp0358 KAUI CHRISTIAN FELLOWSHIP	(4) 1-4-002:041-0000	0.99	2,520.00
58	sp0359 HURLEY, PAUL S. & MAILE F.	(4) 1-4-002:012-0000	0.84	2,760.00
59	sp0360 COX, AILEEN	(4) 1-4-002:047-0000	0.95	2,520.00
60	sp0361 KA IMI NAAUUAO O HAWAII #13	(4) 1-4-002:020-0000	1	2,520.00
61	sp0362 CABRINHA, TRUSTEE, LAWRENCE C.	(4) 1-4-002:023-0000	1.02	2,520.00
62	sp0363 SNYDER, ELEANOR	(4) 1-4-002:021-0000	0.9	2,520.00
63	sp0364 CASSEL, KATHRYN M.	(4) 1-4-002:025-0000	1.05	2,520.00
64	sp0365 WOOD, KENNETH R. TENUTO ET AL, JOHN & GAYLA MCCARTHY	(4) 1-4-002:026-0000	1.03	2,520.00
65	sp0366	(4) 1-4-002:027-0000	0.82	2,520.00
66	sp0367 SAMFORD, JUDITH	(4) 1-4-002:046-0000	0.79	2,520.00
67	sp0368 THOMAS, RUTH	(4) 1-4-002:013-0000	0.99	2,760.00
68	sp0369 NITTA ET AL, AILEEN S.	(4) 1-4-002:014-0000	0.89	2,520.00
69	sp0370 MATTHEWS, JUDITH L.	(4) 1-4-002:010-0000	1	2,520.00
70	sp0371 STAYTON ET AL, SUSAN	(4) 1-4-002:022-0000	0.91	2,520.00
71	sp0372 NITTA ET AL, NORMAN	(4) 1-4-002:008-0000	0.85	2,520.00
72	sp0373 HONTZ, GLEN	(4) 1-4-002:015-0000	1.03	2,520.00
73	sp0374 SUTTON, ANNE	(4) 1-4-002:044-0000	0.88	2,520.00
74	sp0375 RUIZ, JR., MR. & MRS. DAMASCIO	(4) 1-4-002:043-0000	1.03	2,520.00
75	sp0376 TENBRUGGENCATE ET AL, JAN	(4) 1-4-002:040-0000	1	2,430.00
76	sp0377 EPHAN, LARRY & MARY	(4) 1-4-002:036-0000	1.12	2,520.00
77	sp0378 KAUKA, SABRA	(4) 1-4-002:035-0000	1.01	2,520.00
78	sp0379 NAKAYA, KIYOSHI & JULIA	(4) 1-4-002:051-0000	1.05	2,520.00

RP No.	Name of Permittee	Tax Map Key	Lot Size (in acres)	Annual Rent
79	BURTNER, PAULETTE	(4) 1-4-002:052-0000	1.03	2,520.00
80	WOOD, LISA	(4) 1-4-002:053-0000	1.03	2,520.00
81	WILCOX MEMORIAL HOSPITAL	(4) 1-4-002:054-0000	1.05	2,520.00
82	KAWAKAMI ET AL, BERTHA	(4) 1-4-002:061-0000	0.95	2,520.00
83	CASSIDY, THOMAS & ANNETTE	(4) 1-4-002:062-0000	1.05	2,520.00
84	MATSUNAGA, PAUL & ARLINE	(4) 1-4-002:063-0000	0.9	2,520.00
85	ONISHI ET AL, WARREN H.	(4) 1-4-002:067-0000	0.79	2,520.00
86	SWENEY, ROBERT T.	(4) 1-4-002:068-0000	1.12	2,520.00
87	TOKITA, PHYLLIS	(4) 1-4-002:069-0000	1.08	2,520.00
88	ING, PHILIP & MYRNA	(4) 1-4-002:075-0000	0.98	2,520.00
89	LOCRICCHIO ET AL #82, ANTHONY	(4) 1-4-002:079-0000	1.11	2,520.00
90	NEERINGS, JILL HANA	(4) 1-4-002:081-0000	1	2,520.00
91	THUENTE, ANNA	(4) 1-4-002:086-0000	0.82	2,760.00
92	MORINAKA, STANLEY H.	(4) 1-4-002:085-0000	0.99	2,520.00
93	HAWAII CONFERENCE FOUNDATION	(4) 1-4-004:027-0000	0.5	132
94	HAWAII UNITED METHODIST	(4) 1-4-002:024-0000	3.05	132
95	HAWAII ASSN. OF 7TH-DAY ADVENTIST #55	(4) 1-4-002:055-0000	4.06	132
96	BACK TO EDEN, INC. LOT 79	(4) 1-4-004:063-0000	0.54	2,400.00



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
PARKS DEPARTMENT  
P.O. Box 621  
HONOLULU, HAWAII 96809

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

July 17, 2008

Ref: 7005 1820 0002 1770 3753

CERTIFIED MAIL:

Ms. Maile Hurley  
6240 A Kuammo Road  
Kapaa, HI 96746

Dear Ms. Hurley:

NOTICE OF DEFAULT

Pursuant to the authority granted me by the Board of Land and Natural Resources at its meeting of January 11, 1980, and the breach provision contained in Permit SP-0359, you are hereby served a Notice of Default on said lease for failure to do the following:

- xx Keep Revocable Permit rental payments current
- \_\_\_ Post required Performance Bond
- \_\_\_ Post required Fire Insurance Policy
- \_\_\_ Post required Liability Insurance Policy
- xx Pay returned check charges

Our Fiscal Office informs us that you are in arrears in permittee rental payments in the amount of \$2,760.00 + \$25.00 NSF returned check charge covering the period January 1, 2008 to December 31, 2008.

You are hereby given thirty (30) days from the date of receipt of this letter to cure the above-described breach.

Ms. Maile Hurley

July 17, 2008

2

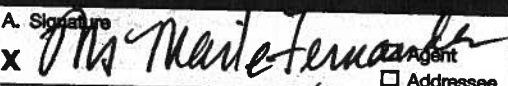
Your failure to act on the above matter will result in the following:

1. Cancellation of Revocable Permit SP-0359.
2. Retention of all sums heretofore paid under Revocable Permit SP-0359 as liquidated damages.
3. Termination of all your rights and obligations under Revocable Permit No. SP-0359.
4. Initiation of legal action to collect the delinquent lease rental owing the State of Hawaii under Revocable Permit S-0359.
5. Forfeiture of your lease performance bond.

We therefore urge your fullest cooperation. Should you have any questions, please contact Brenda Stuart, Property Manager at 808-587-0296.

Sincerely,

  
for LAURA H. THIELEN  
Chairperson

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee	
1. Article Addressed to:  Ms. Maile Hurley 6240 A Kuamoo Road Kapaa, HI 96746		B. Received by (Printed Name) C. Date of Delivery Maile Fernandez 7/18	
2. Article Number (Transfer from service label)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7005 1820 0002 1770 3753	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540